

**REMARKS**

Claims 1-14 are pending in the present application.

Claims 9-12 are withdrawn.

Claims 1-8, 13 and 14 are rejected.

Reconsideration of the claims is respectfully requested.

I. **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-8, 13 and 14 were rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,009,095 issued to Honma ("*Honma*"). This rejection is respectfully traversed.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. MPEP § 2131; *In re Bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed. Cir. 1990). Anticipation is only shown where each and every limitation of the claimed invention is found in a single prior art reference. MPEP § 2131; *In re Donohue*, 766 F.2d 531, 534, 226 U.S.P.Q. 619, 621 (Fed. Cir. 1985).

The Office Action argues that *Honma* discloses a "mapping means (32-34)" and a "switching means (5)." Office Action, page 4. However, the "mapping means" cited by the Office Action is simply an ATM interface circuit that "perform[s] ATM coding and an ATM decoding to enable Digital PB exchangers 1 and 2 to communicate the PCM voice signals and the data signals therebetween." Col. 3, lines 48-51. In addition, the "switching means" cited by the Office Action

is simply an ATM switch that receives data from one of the ATM interface circuits, subjects “the ATM coded data. . . to exchange-processing according to an address indicated in a header thereof,” and transmits that data to another one of the ATM interface circuits. *Honma*, Col. 3, lines 55-63.

In contrast, independent Claim 1 provides for a controller with a “means for mapping the TDM data into fixed-length packets, wherein the TDM data is written into a predetermined packet slot permanently assigned to the originating port” and a switching element with a “means for separately switching the data in each packet slot received from the controllers into a packet slot preassigned to the destination port.” See Claim 1 (emphasis added). Thus, in one embodiment of the present invention, TDM data may be transmitted through an ATM switch by assigning an originating port a predetermined slot within each ATM cell such that any data to be transmitted from the originating port is in the predetermined slot. Any data found in that slot is then switched into a slot preassigned to the destination port, while data in other slots corresponding to other originating ports may be separately switched into slots preassigned to their respective destination ports.

Applicant respectfully submits that *Honma* fails to disclose assigning packet slots to originating and/or destination ports. Thus, for at least this reason, independent Claim 1 is not anticipated by the cited art.

Similarly, independent Claim 4 recites a controller with “a state machine to write the TDM data into a packet slot assigned to the originating port” and a switching element with “a switching circuit to switch the TDM data in the packet slot assigned to the originating port into an outgoing packet slot assigned to the destination port.” Independent Claim 8 recites a node

controller with a “means for separately switching each slot in the packet data received from the plural access controllers into a packet slot preassigned to the destination port.” Independent Claim 13 recites receiving “packets in which data from the originating port is located in a particular packet slot assigned to the originating port” and “switching the data in the packet slot assigned to the originating port into a packet slot assigned to the destination port.” *Honma* fails to disclose these recited features/elements.

Therefore, for the reasons discussed above in connection with Claim 1, independent Claims 4, 8 and 13 are also patentable over the cited art. In addition, dependent Claims 2-3, 5-7, and 14 are also patentable over the cited art because they include the features/element of their respective base claim, and add additional features/elements that further distinguish the art.

Accordingly, Applicant respectfully requests the Examiner withdraw the 102(e) rejection of Claims 1-8, 13 and 14.

## II. CONCLUSION

As a result of the foregoing, the Applicant asserts that the remaining Claims in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

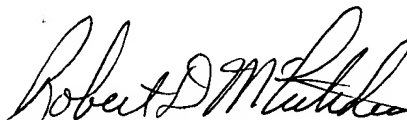
If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *rmccutcheon@davismunck.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Davis Munck Deposit Account No. 50-0208.

Respectfully submitted,

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